

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
(EASTERN DIVISION)**

CAROL DAUGHERTY,)

Plaintiff,)

v.)

CIVIL ACTION NO.

3:07-cv-00226-WKW-TFM

RELIANCE STANDARD LIFE)

INSURANCE COMPANY,)

Defendant.)

**RELIANCE STANDARD LIFE INSURANCE
COMPANY'S RESPONSE TO PLAINTIFF'S
MOTION TO AMEND COMPLAINT**

Reliance Standard Life Insurance Company ("Reliance Standard") responds as follows to Plaintiff's motion to amend complaint:

1. On March 14, 2007, Reliance Standard removed this case to this Court based on ERISA preemption.

2. On March 19, 2007, Reliance Standard moved to dismiss Plaintiff's complaint, which asserts solely state law causes of action relating to Plaintiff's claim for long term disability benefits under an employee welfare benefit plan governed by ERISA.

3. On April 17, 2007, Plaintiff responded to Reliance Standard's motion to dismiss by requesting leave to amend her complaint, presumably to re-plead her

complaint to assert claims for relief provided by ERISA. In her April 17, 2007 filing, Plaintiff acknowledged that her claims in this lawsuit are preempted by ERISA.

4. Reliance Standard does not oppose Plaintiff amending her complaint to assert solely causes of action provided by ERISA and abandon her state law claims.

s/Christopher L. Yeilding
One of the Attorneys for Defendant,
Reliance Standard Life Insurance Company

OF COUNSEL:

Steven F. Casey
Christopher L. Yeilding
BALCH & BINGHAM LLP
Post Office Box 306
Birmingham, AL 35201-0306
Telephone: (205) 251-8100
Facsimile: (205) 226-8798

CERTIFICATE OF SERVICE

I hereby certify that on April 30, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Angela J. Hill, Esquire
139 S. Broadnax Street
Dadeville, AL 36853

s/Christopher L. Yeilding
Of Counsel